# DRAFT

# INITIAL STUDY AND NEGATIVE DECLARATION FOR CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR DISCHARGE FROM IRRIGATED LAND

# LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD

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# Project Information Form

1. Project title: Conditional Waivers of Waste Discharge Requirements for Irrigated Lands

2. Lead agency name and address: California Regional Water Quality Control Board,
Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013

   Contact person and phone number: Elizabeth Erickson
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Los Angeles Region
(213) 576-6683

4. Project location: Los Angeles and Ventura Counties

5. Project sponsor's name and address: N/A

6. General plan designation: Commercial

8. Description of project:

   The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) has drafted waivers of waste discharge requirements (WDRs) for irrigated lands. These waivers delegate some of the monitoring responsibilities to the dischargers, while maintain the responsibility for ensuring improvement of management methods to reduce the discharge of pollutants and attainment of the water quality required by the Basin Plan. Section 13269 of the California Water Code (CWC) allows a regional board to waive the requirement to adopt waste discharge requirements (WDRs) for specific types of discharges where such a waiver is consistent with any applicable state or regional water quality control plans and is in the public interest. The discharge of waste from irrigated lands pose a potential significant environmental risk to water quality and public health. However, where dischargers have agreed to quantify and reduce effluent discharge, have documented compliance with existing water quality standards or have submitted a plan for corrective action with compliance within the period of the waiver, these potential risks would be mitigated to a level of insignificance.

   Based upon the information contained in the Environmental Checklist, the Regional Board finds that the discharge of waste from irrigated land will not result in a significant effect on the environment, provided that the discharge complies with the terms of the Order.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:
The proposed project applies to irrigated lands and nursery operations in Los Angeles and Ventura Counties.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) N/A

## Environmental Factors List

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:
The environmental factors checked below would be potentially affected by this project, as indicated by the checklist on the following pages.

| | | |
|---|---|---|
| ☐ Aesthetics | ☐ Agriculture Resources | ☒ Air Quality |
| ☒ Biological Resources | ☐ Cultural Resources | ☒ Geology /Soils |
| ☐ Hazards & Hazardous Materials | ☒ Hydrology / Water Quality | ☐ Land Use / Planning |
| ☐ Mineral Resources | ☐ Noise | ☐ Population / Housing |
| ☐ Public Services | ☐ Recreation | ☐ Transportation/Traffic |
| ☒ Utilities / Service Systems | ☐ Mandatory Findings of Significance | |

DETERMINATION:
On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature _____ Date _____

# 1 Initial Study

## *1.1 Project Purpose*

The Purpose of the project is to adopt an Order approving a " Conditional Waiver of Waste Discharge Requirement for Discharges from Irrigated Lands" (Waiver) that would regulate the discharges of waste from irrigated lands, including but not limited to, land planted to row, vineyard, field and tree crops as well as commercial nurseries, nursery stock production and greenhouse operations with soil floors that are not currently operating under Waste Discharge Requirements (WDRs). The Waiver sets forth conditions that will require dischargers to conduct activities required by monitoring and reporting program to determine affects on water quality and to implement and evaluate management practices that will result in achieving compliance with water quality objectives in the waters of the state, and to conduct activities in a manner to prevent nuisance.

## *1.2 Location*

The Waiver applies to all of the irrigated land within the jurisdiction of the Los Angeles Region Water Quality Control Board (Regional Board).

## *1.3 Background*

### 1.3.1 Regulatory Requirement

Discharges that constitute "agricultural return flows" are exempt from regulation through the National Pollution Discharge Elimination System (NPDES) permit program of the federal Clean Water Act. However, they are not exempt from the California Water Code (CWC). Any discharge from irrigated agricultural activities to surface water or to land, that impacts or threatens to impacts water quality, is subject to regulation under Porter Cologne Water Quality Act.

CWC Section 13260 requires persons who are discharging or who propose to discharge waste where it could impact the quality of the waters of the State to submit a Report of Waste Discharge. The Regional Board uses the Report of Waste Discharge in preparing Waste Discharge Requirements that regulate the discharges of waste in compliance with the CWC and other applicable law and regulations. The purpose of this regulatory program is to protect the beneficial uses of the waters of the State.

CWC Section 13269 allows regional boards to waive submission of reports of waste discharge (ROWDs) and/or issuance of WDRs if the regional board determines after any necessary State Water Resource Control Board (State Board) or Regional Board meeting that the waiver is in consistent with any applicable state or regional water quality plan and is in the public interest. The waiver may not exceed 5 years in duration but may be

renewed by the State Board or a regional board. The waiver shall be conditional and may be terminate at any time by the State Board or Regional Board.

### 1.3.2 Existing State and Federal Authority

The Clean Water Act is the primary federal law that regulates both point and nonpoint sources water pollution. Point sources are typically regulated through NPDES permits. However, several types of agriculture, including irrigation water return flow and agricultural stormwater runoff, are specifically exempt from regulation under the CWA as point source discharges. These types of agricultural pollution should be managed as nonpoint sources under the CWA or, if necessary, as point sources under the Porter-Cologne Water Quality Control Act.

Porter-Cologne establishes a comprehensive program for the protection of water quality and the beneficial uses of State waters. Porter-Cologne applies to both surface and groundwaters and to both point and nonpoint sources. The implementation portion of this comprehensive program should provide for the attainment of water quality standards. Porter-Cologne gives the Regional Board the authority to adopt and enforce requirements on any waste discharge including those from nonpoint sources and from point sources that are exempt from regulation under the CWA.

When managing agricultural pollution as a nonpoint source, two federal statutes exist that establish a framework for addressing nonpoint source pollution in the Region. These are Section 319 of the CWA and Section 6217 of the Coastal Zone Act Reauthorization Amendments (CZARA) of 1990. These statutes encourage states to assess water quality problems associated with nonpoint source pollution and to develop programs to control these sources.

CWA Section 319 requires that, in order to be eligible for federal funding (for grants that implement nonpoint source management programs), states develop an assessment report detailing the extent of nonpoint source pollution, and a management program specifying nonpoint source controls.

CZARA Section 6217(a) requires the state to develop and implement management measures for nonpoint source pollution to restore and protect coastal waters; establish coastal nonpoint source programs. Under CZARA, California must (1) provide for the implementation of management measures that are in conformity with the USEPA *Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters* (1993) and (2) provide a process for developing and revising management measures to be applied in critical coastal areas and in areas where necessary to attain and maintain water quality standards.

In response to these mandates, California began making changes to the state's Nonpoint Source Program approved by USEPA under CWA Section 319 and to the state's coastal zone management program (implemented in this state by the California Coastal

Commission) approved by NOAA under Coastal Zone Management Act Section 306. The state developed a Nonpoint Source Management Plan, based on the requirements of Section 319, which the State Board approved in 1988.

Then, in 1994, California initiated a comprehensive review to upgrade the existing Nonpoint Source Program and to incorporate new CZARA requirements into it, rather than create a separate program dealing exclusively with coastal waters. The review consisted of ten technical advisory committees made up of agencies and stakeholders and further coordination between the State Board and the California Coastal Commission. This comprehensive review led to the development of the Plan for California's Nonpoint Source Pollution Control Program (Plan). This was the first significant upgrade of California's Nonpoint Source Pollution Control Program since its inception in 1988. The Plan is intended to satisfy federal requirements. It provides a single unified, coordinated statewide approach to dealing with nonpoint source pollution structured around the implementation of 61 Management Measures (MMs) designed to reduce or eliminate nonpoint source pollution from six categories, including agriculture. The Plan is a 15-year strategy consisting of three 5-year plans. The plan details the implementation of specific MMs in specific watersheds that are consistent with State and regional priorities. Federal Clean Water Act, Section 319 funding is dependent on the state having this updated plan in place. National Oceanic and Atmospheric Administration (NOAA) and the United State Environmental Protection Agency (U.S. EPA) published their intent to fully approve the upgraded plan on May 1, 2000 in the Federal Register.

In May, 2004, the State Board has adopted the "Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program". The purpose of the Nonpoint Source Pollution Control Program is to improve the State' s ability to effectively manage nonpoint source pollution and conform to the requirements of the federal Clean Water Act and the federal Coastal Zone Act Reauthorization Amendments of 1990. The plan describes three options for addressing nonpoint source pollution: waste discharge requirements, conditional waivers of waste discharge requirements, and discharge prohibitions. Nonpoint Source Pollution Control implementation programs shall include the following key elements:

- A Nonpoint Source Pollution Control implementation program's ultimate purpose shall be explicitly stated. Implementation programs must, at a minimum, address nonpoint source pollution in a manner that achieves and maintains water quality objectives and beneficial uses, including any applicable antidegradation requirements.

- A Nonpoint Source Pollution Control implementation program shall include a description of the management practices and other program elements that are expected to be implemented to ensure attainment of the implementation program's stated purpose(s), the process to be used to select or develop management practices, and the process to be used to ensure and verify proper management practice implementation.

- ♣ Where a Regional Water Quality Control Board determines it is necessary to allow time to achieve water quality requirements, the Nonpoint Source Pollution Control implementation program shall include a specific time schedule, and corresponding quantifiable milestones designed to measure progress toward reaching the specified requirements.

- A Nonpoint Source Pollution Control implementation program shall include sufficient feedback mechanisms so that the Regional Water Quality Control Board, dischargers, and the public can determine whether the program is achieving its stated purpose(s), or whether additional or different management practices or other actions are required.

The State's Non Point Source Pollution Control Program identifies waivers as an appropriate regulatory tool available to protect water quality from nonpoint source pollution, recognizing the challenges involve in regulating a large number of individual dischargers.

Furthermore, the Plan also puts an emphasis on prioritization of nonpoint source categories as well as those waters impacted by nonpoint source pollution (a discussion of specific nonpoint source problems for individual watersheds in the Los Angeles Region can be found in the Watershed Management Initiative Chapter). It states that management activities and implementation schedules are to be identified (e.g. monitoring for source identification, education, training, regulation, interagency agreements, and employment of BMPs). As is discussed elsewhere, many of these activities are severely underfunded or completely unfunded. However, Regional Board staff does coordinate receipt and review of 319(h) and 205(j) grant applications with the State Board which are prioritized based on targeted watersheds and high priority nonpoint source categories. This provides some funding for local efforts. Also, the recently approved Proposition 13 is expected to fund numerous nonpoint sources control efforts.

### 1.3.3 Agriculture in the Los Angeles Region

In the Los Angeles Region, animal agricultural activities are minor, and irrigated crops dominate. Irrigation practices are the primary contributors to problems associated with agriculture because: (1) irrigation water typically contains pollutants imported or introduced into the irrigation water; (2) irrigation practices mobilize and may concentrate pollutants through reuse; and (3) irrigation water is relatively cheap because of subsidies which minimize the farmers' concern for conservation. Many growers assume that additional water and or nutrient supplements will provide much greater crop yields and profits, thereby reducing their concern to be conservative.

The Region's agriculture is concentrated in Ventura County, which has over 2 37,000 acres in production (Ventura Co. Agriculture Commissioner, 1999). Agriculture is Ventura County's largest industry and accounts for 11% of the total employment in the county. The value of production in 1999 was $1,059.1 million (Farm Bureau). Approximately 70% of the farms are between 40 and 50 acres in size, and only about 5%

of the farms are greater than 500 acres. Major crops in Ventura County include fruit, nuts and vegetables, nursery stock, and cut flowers (Ventura Co. Agriculture Commissioner, 1999).

Agriculture in Ventura County depends primarily on local groundwater for its irrigation water supply, as does the rest of the Region. This reliance on groundwater is somewhat uniform in the State, where most agriculture is depending on imported surface water. Approximately 43% of the State's water supply is used for irrigated agriculture. In 1992, 67% of Ventura County's total water supply (425,500 AF/Y) was from groundwater and about 68% of the water supply (289,340AF/Y) was used for agriculture (Ventura Water Management Plan 11/94). Groundwater quality in Ventura County is gradually being degraded from agricultural runoff and leachate. The major watersheds impacted by runoff from irrigated agriculture are the Santa Clara, the Ventura River, and Calleguas Creek. Ventura County acknowledged these impacts and established a policy to reduce and prevent agricultural runoff from entering receiving waters. Included in this policy are Best Management Practices (BMPs) to reduce pesticide and fertilizer use.

Agriculture in Los Angeles County is concentrated in the Antelope Valley. However, small nurseries and sod farm continue to operate in the San Fernando Valley and elsewhere in the County, and growing number of small wineries are being started near Malibu. Almost 26,000 acres are in agricultural production. The value of agricultural production in the county in 1998 was $260.5 million (Figure 1). Nursery crops account for approximately 75 percent of LA County agricultural production. Root crops and peaches comprise another 18 percent of total production.

### 1.3.4 Agriculture Impacts to Water Quality in the Los Angeles Region

Agriculture is one of the main sources of pollution that impairs our nation's waters (EPA841-F-004F, USGS Circular 1131, D. Jeff Ensley). The diffuse and intermittent nature of agriculture impacts tends to make contamination difficult to control. Pollution from agriculture, which accounts for the majority of the Region's stream impairments (State Board 1995, 303 (d) Report), must be controlled to achieve our mission of preserving and enhancing water quality for the benefit of present and future generations. This goal can be accomplished by prioritizing and successfully implementing appropriate management measures through a combination of outreach, education, technical guidance, funding, regulatory encouragement, and enforcement.

Agriculture is one of the most important industries in the Los Angeles Region because of the need to produce large amounts of readily available food, the amount of money it generates for both the local and national economies, the number of workers it employs, and the political support it receives. Agriculture is one of the largest sources of water impairment in the Los Angeles Region (303(d) Report, EPA841-F-004F). Pollutant sources may include impacts from irrigated land, including nurseries, orchards, pastureland, rangeland, row crops, specialty produce, and turf cropland. Other activities are considered quasi-agriculture because of intensive grounds establishment or maintenance. Some of these include but are not limited to: agricultural and processing

storage holdings, associated mechanical field and shipping equipment, confined animal facilities, packing and food processing facilities, large estates, and shipping facilities. Practices associated with these activities may concentrate and/or mobilize pollutants, including pesticides, excess nutrients, fertilizer, trash, and sediment via irrigation and drainage return flow, storm water runoff, percolation to groundwater, subsurface drainage, or wind mobilization.

### 1.3.5 Pollutants of Concern

Agriculture is a major source of pollutants that contribute to the impairment of the State's waters as described in the 303(d) list (SWRCB 1996). The primary pollutants are sediments, salts, nutrients, pesticides, bacteria, metals and other trace elements, and temperature. A brief review of impacts caused by these pollutants and potential controls is provided below.

#### 1.3.5.1 Sedimentation

Agriculture may cause erosion directly through application of irrigation water, or indirectly through sub-optimal land management. Sediment contained in run-off from agricultural lands may carry certain pesticides to surface waters where they contaminate the food chain and affect beneficial uses of water. Excess sedimentation degrades the natural environment, diminishing health and diversity of wildlife and habitat, destabilizing physical landscape, and increasing costs of water resource management. Simple methods can be used to minimize sedimentation like reduction of the amount of irrigation water with drip irrigation or crop changes, use of buffer strips and sedimentation basins to control excess sediments from reaching the water bodies, utilization of minimum cultivation practices, constructing properly engineered dirt roads and culverts, installation of soil and water recapture systems, and employment of erosion control practices. Seventeen percent of the Los Angeles Region's water segments are listed in the 303(d) list as impaired from sedimentation. Sediment impairments are primarily attributed to nonpoint source activities including agriculture, and point sources such as construction site runoff.

#### 1.3.5.2 Salinity

Salinity is a major problem for the environment and agriculture because it can diminish diversity and growth rates of plant and animal populations. As salinity increases, surface and ground waters may become restricted for urban or agricultural use. Irrigation practices can mobilize naturally occurring salts in the soil and concentrate those already present in the supply water. Salt moves with the percolation of water below the crop root zone and is captured with drainage systems, moves into the groundwater, or becomes immobilized when soil structure prohibits relocation. Salinity impacts can be minimized by reducing the amount of irrigation water used thereby reducing the amount of runoff, and reducing the amount of contact with salt contributing processes (animals in streams,

provision of well designed and maintained drainage systems, and construction of salt retention ponds, etc.). Chlorides impair about 7 % of the Regions water segments. A Basin Plan amendment is currently in progress in Calleguas Creek to address chloride levels. Chlorides come from both point and nonpoint sources including agriculture.

#### 1.3.5.3 Nutrients

Agriculturally derived nutrients include fertilizers, soil and plant amendments, food processing by-product effluent, and animal waste. The effects of nutrients can be twofold. First, depending on the type of constituents of concern (ammonia, nitrate, phosphate, etc.), and if concentration is high, toxicity can occur resulting in injury, necrosis or death to plants and animals. Second, cumulative effects cause eutrophication (reduction of dissolved oxygen) which creates anaerobic aquatic conditions thereby limiting or killing oxygen dependent organisms and their habitat. Nutrients are transported to groundwater by percolation of irrigation and rainfall. Percolation occurs when the amount of water infiltrating into the soil exceeds the soil water holding capacity. Nutrients are transported to surface waters by irrigation, wastewater discharge, wind, and rainfall runoff. Nutrients, specifically nitrates and phosphates in surface waters, contribute to eutrophication. Several areas including Ventura and Oxnard have potentially serious nutrient problems. Nutrient impacts can be reduced by applying less crop amendment, having better methods to recover lost nutrients and waste, such as using cover crops, or by treating runoff with chemical, biological, or cultural methods. Almost half of the Region's water segments are impaired by nutrients. Nutrients are from both point and nonpoint sources, with agriculture being one of the largest of the nonpoint source contributors.

#### 1.3.5.4 Pesticides

Pesticides may impact beneficial uses through direct toxic effects on the organisms themselves or through indirect effects on their food chain. Pesticides include a wide variety of chemicals with both short and long term effects and various chemical properties. Their entry into surface or ground waters may be caused from irrigation return flows, tile drainage or atmospheric deposition. Water-soluble pesticides may be carried directly into surface waters or adsorbed to sediment prior to transportation. Pesticide impacts can be minimize by reducing the quantity and toxicity of the pesticides used, using a more direct application method that reduces the amount used or the amount available to the environment, or switching to crops that require less toxic pesticides. New Biologically Integrated Orchard System (BIOS) techniques are being considered to reduce pesticides used. Approximately 45% of the Region's water bodies are impaired from a variety of pesticides. Substantial portion of these impairments are from nonpoint source activities including agriculture.

#### 1.3.5.5 Bacteria

Bacteria may impact the beneficial uses of the State's waters by reducing the fishable and swimable qualities of the water body. High bacteria concentrations can cause human

illness or contaminate food sources so that they are unfit for consumption. Water that comes into contact with human or animal waste can mobilize bacteria in that waste. This type of contact can occur where waste is used as part of a standard agricultural operation or where animals have used the field, wetland or pasture prior to irrigation or a storm event causing discharges to receiving waters. Limiting the amount of water contact with animal waste and minimizing animals' access to water bodies can reduce bacteria impacts from agriculture. Bacteria impairs the most segments in the Region, 56%. Bacteria impairments are primarily from nonpoint source activities with agriculture being one of those activities.

#### 1.3.5.6 Trace Elements

Human health impacts and environmental impacts from trace elements and heavy metal contamination are possible in contaminated areas. Trace elements and heavy metals can be mobilized from irrigation and concentrated in ground water by percolation of drainage waters. Import of trace elements into an irrigated region may also occur from interstate waters, such as selenium imported from the Colorado River. Dilution of irrigation return flows to control salinity often has the dual effect of reducing trace element concentrations. Approximately 30% of the Region's segments are listed as impaired from trace elements or heavy metals.

#### 1.3.5.7 Elevated Temperature

Temperature changes can cause substantial changes to diversity and abundance of native organism. Elevated temperatures occur when irrigated fields or wetlands are warmed by the sun and then discharged, causing a rise in the stream temperature. This problem is often aggravated when diversions for irrigation and wetland management also lower the overall stream flow. These elevated temperatures directly impact stream aquatic life, especially in certain cold-water streams or those with anadromous fisheries, either by reducing dissolved oxygen or causing unsuitable temperature conditions. These impacts can be reduced by minimizing the volume of irrigation waters, recycling irrigation waters and by slowly discharging in to the water body allowing adequate dilution. The number of stream segments impacted by temperature changes has not been adequately quantified; however, it is assumed that the majority of those receiving waters impacted are from nonpoint sources.

#### 1.3.5.8 Habitat Modifications

Habitat modifications caused from agriculture may severely impact the beneficial uses of the water body and cause changes in the abundance and diversity of the aquatic and riparian community. These types of practices can be reduced if adequate education and incentives are provided to the agricultural community. Habitat modifications can also be reduced through regulations like the 401 Water Quality Certification Program. Additional monitoring or BMP's, like buffer strips and sedimentation basins can be

required to eliminate these sources. Thirteen percent of the Region's water segments are impaired from habitat modifications. An unknown number of these impairments are caused by agriculture.

### 1.3.6 Priority Issues in the Los Angeles Region

All of the major Ventura County watersheds (Santa Clara, Ventura, and Calleguas) are listed as impaired for agriculture-related pollutants, including, but not limited to nitrogen, salts, and historic pesticides. Nonpoint source activities will focus on nutrient, pesticide and sediment management.

The majority of agricultural impairments in the Region occur in the Calleguas Creek Watershed. Calleguas Creek drains an area of 343 square miles in southern Ventura County and a small portion of Los Angeles County. Farming is primarily cultivation of orchards and row crops, which cover approximately 25% of the watershed along the valleys and on the Oxnard Plain. Agricultural activities appear to be the source of many pollutants in Calleguas Creek and Mugu Lagoon, which is at the watershed's mouth. These pollutants have caused the water resources to be candidate toxic hot spots under the BPTCP for reproductive impairment (the endangered clapper rail), exceedance of the Office of Environmental Health Hazard Assessment (OEHHA) advisory level for mercury in fish, and exceedance of the National Academy of Sciences (NAS) guidance level for DDT in fish, sediment concentrations of DDT, PCB, chlordane, chlorpyrifos, sediment toxicity and degraded benthic infaunal community. Also, fish collected from Calleguas Creek exhibit skin lesions and have been found to have other histopathic abnormalities. High levels of mineral and nitrates are common in the water column and the groundwater. Nurseries in Los Angeles County that are not regulated through NPDES permits are also a priority issue in this region.

### 1.3.7 Recent Accomplishments in the Los Angeles Region

Many valuable projects that target the reduction of nonpoint source pollution in our region's priority areas have been accomplished through 319(h) funding. The Ventura County Resource Conservation District (RCD) has completed a study of drip irrigation and its effects on water quality and an investigation of erosion and sediment control strategies. The Regional Board also worked with the RCD of the Santa Monica Mountains on a 319(h) funded horse management project. These successful demonstration projects can serve as examples and technical guidance for future nonpoint source activities in our region.

#### 1.3.7.1 Irrigation Water Management

The Irrigation Water Management project in Mugu Lagoon was completed in July of 1994. The purpose of this drip irrigation study was to demonstrate an improved irrigation system and irrigation water management to reduce the delivery of nutrients and pesticides

from cropland to Mugu Lagoon. Two types of buried drip tape were installed on a 25-acre celery field. Results were compared to a furrow irrigated field. The demonstration was successful in reducing water use and improving crop yield, as well as the water quality of return flows. This project can be used as a valuable educational tool for regional growers and is an important step in addressing water quality improvements in intensively farmed areas. It also demonstrates that irrigation water management is a necessary prerequisite to proper fertilizer and pesticide management, which is one of our current priority issues.

#### 1.3.7.2 Calleguas Creek Watershed Treatment

Phase I of the Calleguas Creek Watershed Treatment project was completed in April, 1999. This project focused on BMPs that could be implemented by small, individual landowners to control nonpoint sources, specifically mulches, cover crops, and bank stabilization. Several methods of bank stabilization were installed and compared along approximately 1,400 feet of the stream. The results of this study continue to be presented to growers in the areas in an effort to alter long-standing practices of clearing ground cover under orchards and streambank stabilization through the use of rip-rap and concrete. A pamphlet describing the benefits of mulches and cover crops was produced. Phase II also received 319(h) funding and is currently underway. This phase focuses on BMPs designed to prevent streambed erosion that require the coordinated efforts of several landowners. This demonstration project will install properly engineered grade stabilization structures in a different tributary to Calleguas Creek. Furthermore, the RCD recently submitted a proposal for 319(h) funding for Phase III of the Calleguas Creek Watershed Treatment project. If Phase III is funded, it will encourage landowners to implement the BMPs that were previously demonstrated through cost-sharing and permit streamlining.

#### 1.3.7.3 Malibu Creek Watershed Protection

The Malibu Creek Watershed Protection Project was completed by the RCD of the Santa Monica Mountains, in cooperation with the Regional Board, in 1999. The purpose of this project was to reduce nutrient and sediment loading in the streams of the Malibu Creek Watershed. This was accomplished through an education and demonstration program to teach horse owners about properly managing horses in the watershed, and through a streambank stabilization and re-vegetation project. The 'Stable and Horse Management in the Santa Monica Mountains", a manual on BMPs for the reduction of nonpoint source pollution was produced and distributed. Reports on Malibu Creek streambank restoration efforts and on nutrient reduction components of the project were also produced. This project successfully addressed sediment, bacteria, and nutrient impacts. The BMP manual continues to be reproduced and distributed by the RCD and the Regional Board. We have been coordinating with the RCD and are considering follow-up outreach presentations using the educational manual from this project to further reduce nonpoint source pollution in Malibu Creek and other watersheds impacted by horses.

### 1.3.8 Program Implementation Costs

The Regional Board has attempted to consider costs to both the Regional Board and regulated community in developing the conditional waiver. Anticipated program implementation costs to the agricultural community include potential fees, management practice implementation, monitoring costs, and cost for education. Costs to the Regional Board include staff time for program development, outreach to the regulated community, submittal review, program oversight and enforcement.

The Regional Board has endeavored to develop a cost-effective approach to water quality protection, by focussing on management practice implementation and by developing a regionalized constituents and concentrate monitoring in areas where data already indicates problem associated with agriculture activities. Primary focus during first waiver cycle will be on performance requirements and use of water quality information to adjust practice implementation.

### *1.4 Project Description*

The Regional Board proposed to adopt a conditional waiver of waste discharge requirement to submit a report of waste discharges of waste from irrigated lands. Irrigated lands are lands where water is applied for producing crops and, for the purpose of this program, include, but are not limited to, land planted to row, vineyard, field and tree crops as well as commercial nurseries, nursery stock production and greenhouse operations with soil floors that are not currently operating under WDRs.

Discharges include surface discharges (also known as irrigation return flows or tailwater), subsurface drainage generated by installing drainage systems to lower the water table below irrigated lands (also known as tile drains), discharges to groundwater, and storm water runoff flowing from irrigated lands. These discharges can contain wastes that could affect the quality of waters of the State.

The conditions of the waiver shall include but need not be limited to, the performance of individual, group, or watershed-based monitoring. Monitoring requirements shall be designed to support the development and implementation of the waiver program including but not limited to, verifying the adequacy and effectiveness of the waiver's conditions. In establishing monitoring requirements, the Regional Board may consider the volume, duration, frequency, and constituents of the discharge; the extend and type of existing monitoring activities; the size of the project area; and other relevant factors.

The Waiver sets forth conditions that will require dischargers to conduct activities required by monitoring and reporting program to determine affects on water quality and to implement and evaluate management practices that will result in achieving compliance with water quality objectives in the waters of the state, and to conduct activities in a manner to prevent nuisance. Monitoring programs can be individual or group (cooperative). Groups will also be required to complete watershed-wide receiving water monitoring program to determine if management practices will result in achieving compliance with water quality objectives.

Monitoring requirements and options are described in Monitoring and Reporting programs (MRPs) No. CI-8835 and CI-8836. All Dischargers will be required to elect a monitoring option. Dischargers may elect to perform individual monitoring or participate in cooperative monitoring. Cooperative monitoring in general offers a much less costly alternative to individual monitoring. A Discharger may change the monitoring option election at any time by submitting a revised Notice of Intent to Discharge (NOI). The revised NOI must include a proposed monitoring and reporting plan (to elect individual monitoring) or a demonstration that the Discharger is participating in a cooperative monitoring program (for cooperating monitoring).

### 1.4.1 Waiver Conditions

(a) To be covered under this conditional waiver, dischargers must meet the following criteria:

- ♣ Pollutant concentrations in the discharge shall not cause or contribute to violation of any applicable water quality objective for the receiving waters, including discharge prohibitions and receiving water limits, and
- ♣ The discharge shall not cause nor contribute to acute or chronic toxicity in receiving waters, and
- ♣ The discharge shall receive appropriate treatment or management to meet the requirements of the Order.
- ♣ Should the discharge not meet these criteria, a plan for corrective action, including a date-specific time line, will be submitted showing compliance within the term of the waiver.

(b) Discharges covered under this Order shall be ranked as low-risk or high-risk by the Regional Board Executive Officer (Executive Officer) based upon the information submitted by the discharger in accordance with part B of this Order and shall be subject to corresponding requirements.

- ϖ Low-risk discharges are defined as discharges from irrigated lands with the all the following characteristics:
  - ♣ all irrigation is by drip-tape or line, mini sprinklers, or other water-saving device.
  - ♣ no irrigation runoff was observed during the most recent year, except for storm runoff.
  - ♣ fertilizer application volumes are documented to be no more than the nitrogen requirement as shown by leaf/plant testing and a measure of available nutrients.
  - ♣ no pesticides listed for the watershed on the most recent 303(d) list are used.

- ♣ the irrigated land has at least 50-foot setback from any waterbody or wetlands or is separated from that waterbody by buffer strips.
- ♣ no sediment moves off the property, even during storm conditions, but is retained by filter strips, buffer zones, retention basins, or other management practices
- ♣ tile drains are not used or the discharge is impounded or treated, or it is documented to meet all WQOs, TMDL load reductions and CTR.

Dischargers meeting the criteria for low-risk discharges shall submit an application in accordance with part B of the Conditional Waiver and comply with the Discharge Prohibitions and General Provisions of parts D and E.

- ϖ Discharges that do not meet the criteria for low-risk above are specified as typical discharges shall submit an application in accordance with part B of the Conditional Waiver and comply with the Discharge Prohibitions and General Provisions, as well as Specific Provisions, Receiving Water Limitations and Monitoring and Reporting Requirements of parts D, E, F, G and H of the Conditional Waiver, and Requirements of MRPs No. CI-8835 and CI-8836 for Individual Discharger and Discharger Group.

1.4.2 Enrollment

A. For Individual Discharger

Discharger eligible for coverage under this Order shall submit the following:

a. Notice of Intent (Appendix 5) to comply with these WDR waivers

b. A site map, including discharge points, receiving waters, and sampling locations.

c. A Monitoring and Reporting Plan, and a QAPP as described in the Monitoring and Reporting Program, No. CI-8835.

d. Any additional information that the Executive Officer deems necessary to evaluate the discharge.

B. For Discharger Group

Discharger Group, on behalf of individual Dischargers, eligible for coverage under this Order shall submit the following:

a. Notice of Intent (Appendix 6.) to comply with the Condition Waivers including the membership Document. This membership document shall

provide information for each individual Discharger, who has knowingly elected to be part of the Discharger Group including: the owner/operator, farm assessor parcel number(s), Section, Township and Range, closest surface water body, and type of discharge.

b. Discharger Group Monitoring and Reporting Program Plan including a Quality Assurance Project plan (QAPP) as described in the Monitoring and Reporting Program, No. CI-8836.

c. Any additional information that the Executive Officer deems necessary to evaluate the discharge.

d. A General Report to provide the following information:

- ♣ The lead agencies and/or organizations that will develop a Discharger Group Monitoring and Reporting program, the key contact(s), a description of the Discharger Group, and a commitment to work with the Regional Board to satisfy the conditions of this waiver.
- ♣ Detailed map of the area included within the Discharger Group. The General Report and the map shall identify participating landowners and operators, Districts, etc. (member individual Dischargers) which discharge or threaten to discharge waste from irrigated lands to surface waters and are to be covered under the conditions of the Conditional Waiver.
- ♣ The funding mechanisms that will support the Discharger Group administrative costs, water quality monitoring, management practice evaluation and development, and other costs necessary to ensure compliance with the Waiver.

e. Annual fee is not required at this time and shall be determined after the State Board adopts a fee schedule for waiver.

### 1.4.3 Water Quality Monitoring

#### 1.4.3.1 Individual and cooperative monitoring program

Water quality monitoring is a requirement of the waiver program. Dischargers will be required to elect a monitoring option during enrollment. They may choose individual monitoring or join a cooperative agriculture water quality program referred to as a Discharger Group. The purpose of the Monitoring and Reporting Plan shall be to monitor the discharge of constituents of concern (COC) and/or waste in irrigation return flows and

stormwater from irrigated lands that are enrolled under the Conditional Irrigated Lands Waiver (Conditional Waiver). Each individual discharger or discharger group shall prepare and submit to the Regional Board for review and approval by the Executive Officer an MRP Plan that meets the minimum requirements of the MRP and includes sites to be monitored, frequency of monitoring, COC' s to be monitored, and documentation of monitoring protocols. Upon completion of the monitoring, an annual report will be submitted which includes a corrective action plan (CAP) if water quality objectives for surface and groundwater and Total Maximum Daily Load (TMDL) load allocation are met.

The reports required by the Order are necessary to evaluate impacts of discharges of waste to waters of the state and to determine compliance with the Conditional Waiver. The Regional Board Executive Officer may revise a MRP as appropriates. Individuals and Groups shall comply with the MRP as revised by the Executive Officer.

Discharges to the waters of the state must meet the requirements for surface water quality established in the Water Quality Control Plan for the Regional Water Quality Control Board- Los Angeles Region (Basin Plan). In addition, a discharger with property that overlies a groundwater basin, must also meet groundwater Basin Plan objectives as defined in Appendix 2, because groundwater is known to discharge to the surface waters.

#### 1.4.3.2 Watershed receiving water quality monitoring program

Watershed receiving water quality monitoring is also required by Discharger Group. The focus of watershed monitoring for the Conditional Waivers will be on beneficial use protection and waterbody health as opposed to individual effluent (discharge) monitoring. The Regional Board objectives of the watershed receiving water quality monitoring program are to assess status of water quality and associated beneficial uses in agricultural areas, identify problem areas associated with agricultural activities, where Basin Plan objectives are not met or where beneficial uses are impaired, provide feedback to growers in problem areas, and require additional monitoring and reporting as necessary to address the problems.

In order to accomplish this, watershed monitoring program must be accomplished by a group, rather than by each program participant. Regional Board staff anticipate that participating in a watershed monitoring program will be necessary to demonstrate protection of each watershed has been accomplished through the attainment of water quality objectives at each discharge location. Watershed monitoring may be accomplished by one or several Discharger Groups at the expense of and for the benefit of all dischargers. The watershed receiving water monitoring program will include two dry season and two wet season ongoing sampling of conventional water quality parameters at a set of core monitoring sites located in the major agricultural areas of the region. Conventional water quality data will be evaluated on a regular basis to determine whether sites have problems, or if improvements are being detected.

## *1.5 Environmental Setting*

The Los Angeles Region has jurisdiction over all coastal drainages flowing to the Pacific Ocean between Rincon Point (on the coast of western Ventura County) and the eastern Los Angeles County line, as well as the drainages of five coastal islands (Anacapa, San Nicolas, Santa Barbara, Santa Catalina, and San Clemente). The project encompasses all of the irrigated land in the Los Angeles Region including the Santa Clara River, Ventura River, Calleguas Creek, and other coastal streams.

Most of the Los Angeles Region lies within the western portion of the Transverse Ranges Geomorphic Province. Major mountain ranges within the Los Angeles Region include San Gabriel Mountains, Santa Monica Mountains, Simi Hills, and Santa Ynez Mountains. With prevailing winds from the west and northwest, moist air from the Pacific Ocean is carried inland in the Los Angeles Region until it forced upward by the mountains. The resulting storm, common from November through March, are followed by dry periods during summer months. Differences in topography are responsible for large variations in temperature, humidity, precipitation, and cloud cover throughout the Region. Some physical characteristics of the Region are listed below:

| CHARACTERISTICS | MEASURE | NUMBER |
|---|---|---|
| Area of region | 4,288 square smiles | |
| Streams | 6,455 miles | |
| Lakes | 17, 126 acres | |
| Mainland coast | 120 miles | |
| Ground Water Basin | | 53 |
| Special Biological Significance | | 9 |

Diversity in topography, soil, and microclimates of the Region supports a corresponding variety of plant and animal communities. However, increasing urbanization and development have result in the loss of habitat and a decline in biological diversity. As a result, several native flora and fauna species have been listed as rare, endangered or threatened. Habitat that support as rare, endangered, threatened, or other sensitive plant or animal species are unique habitats in terms of their physical, geographical, and biological characteristics. Many unique habitats, including coastal wetlands and lagoons, are found along the southern coast of Ventura County. These areas provide habitats for many fish, birds, invertebrates, sea lions, and for other marine and estuarine species. Mugu Lagoon is the most extensive wetland in the Region and supports a rich diversity of fish and wild life. Other wetlands in Ventura County include McGrath Lake, Ormond Beach, and the estuaries at the mouths of the Ventura and Santa Clara River. The County of Los Angeles has designated sixty Significant Ecological Areas (SEAs) within the County. Malibu Lagoon support two important plant communities, the coastal salt mash and coastal strand, and is important refuge for migrating birds.

# 2 Environmental Significance Checklist

This environmental Checklist has been repaired in compliance with the requirements of CEQA relating to certified regulatory programs

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 2.1 AESTHETICS -- Would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | ☐ | ☐ | ☐ | ☒ |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | ☐ | ☐ | ☐ | ☒ |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | ☐ | ☐ | ☐ | ☒ |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | ☐ | ☐ | ☐ | ☒ |
| 2.2 AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project: | | | | |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ☐ | ☐ | ☐ | ☒ |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ☐ | ☐ | ☐ | ☒ |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 2.3 AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☐ | ☒ |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | ☐ | ☐ | ☐ | ☒ |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | ☐ | ☐ | ☐ | ☒ |
| d) Expose sensitive receptors to substantial pollutant concentrations? | ☐ | ☐ | ☐ | ☒ |
| e) Create objectionable odors affecting a substantial number of people? | ☐ | ☐ | ☐ | ☒ |
| 2.4 BIOLOGICAL RESOURCES -- Would the project: | | | | |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | ☐ | ☐ | ☐ | ☒ |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | ☐ | ☐ | ☐ | ☒ |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | ☐ | ☐ | ☐ | ☒ |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☐ | ☐ | ☒ |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☐ | ☐ | ☒ |
| 2.5 CULTURAL RESOURCES -- Would the project: | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in ∋15064.5? | ☐ | ☐ | ☐ | ☒ |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to ∋15064.5? | ☐ | ☐ | ☐ | ☒ |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ☐ | ☐ | ☐ | ☒ |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | ☐ | ☐ | ☐ | ☒ |
| 2.6 GEOLOGY AND SOILS -- Would the project: | | | | |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | ☐ | ☐ | ☐ | ☒ |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | ☐ | ☐ | ☐ | ☒ |
| ii) Strong seismic ground shaking? | ☐ | ☐ | ☐ | ☒ |
| iii) Seismic-related ground failure, including liquefaction? | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| iv) Landslides? | ☐ | ☐ | ☐ | ☒ |
| b) Result in substantial soil erosion or the loss of topsoil? | ☐ | ☐ | ☐ | ☒ |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | ☐ | ☐ | ☐ | ☒ |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | ☐ | ☐ | ☐ | ☒ |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water? | ☐ | ☐ | ☐ | ☒ |
| 2.7 HAZARDS AND HAZARDOUS MATERIALS B Would the project: | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☐ | ☒ |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ☐ | ☐ | ☐ | ☒ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☐ | ☐ | ☒ |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | ☐ | ☐ | ☐ | ☒ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☒ |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | ☐ | ☐ | ☐ | ☒ |
| 2.8 HYDROLOGY AND WATER QUALITY -- Would the project: | | | | |
| a) Violate any water quality standards or waste discharge requirements? | ☐ | ☐ | ☐ | ☒ |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | ☐ | ☐ | ☐ | ☒ |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site? | ☐ | ☐ | ☐ | ☒ |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | ☐ | ☐ | ☐ | ☒ |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | ☐ | ☐ | ☐ | ☒ |
| f) Otherwise substantially degrade water quality? | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | ☐ | ☐ | ☐ | ☒ |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | ☐ | ☐ | ☐ | ☒ |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | ☐ | ☐ | ☐ | ☒ |
| j) Inundation by seiche, tsunami, or mudflow? | ☐ | ☐ | ☐ | ☒ |
| 2.9 LAND USE AND PLANNING - Would the project: | | | | |
| a) Physically divide an established community? | ☐ | ☐ | ☐ | ☒ |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | ☐ | ☐ | ☐ | ☒ |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | ☐ | ☐ | ☐ | ☒ |
| 2.10 MINERAL RESOURCES -- Would the project: | | | | |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | ☐ | ☐ | ☐ | ☒ |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | ☐ | ☐ | ☐ | ☒ |
| 2.11 NOISE B Would the project result in: | | | | |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☐ | ☒ |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☐ | ☒ |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☐ | ☒ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |
| 2.12 POPULATION AND HOUSING -- Would the project: | | | | |
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | ☐ | ☐ | ☐ | ☒ |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |
| 2.13 PUBLIC SERVICES | | | | |
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| Fire protection? | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| Police protection? | ☐ | ☐ | ☐ | ☒ |
| Schools? | ☐ | ☐ | ☐ | ☒ |
| Parks? | ☐ | ☐ | ☐ | ☒ |
| Other public facilities? | ☐ | ☐ | ☐ | ☒ |
| 2.14 RECREATION -- | | | | |
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | ☐ | ☐ | ☐ | ☒ |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | ☐ | ☐ | ☐ | ☒ |
| 2.15 TRANSPORTATION/TRAFFIC -- Would the project: | | | | |
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | ☐ | ☐ | ☐ | ☒ |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | ☐ | ☐ | ☐ | ☒ |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | ☐ | ☐ | ☐ | ☒ |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | ☐ | ☐ | ☐ | ☒ |
| e) Result in inadequate emergency access? | ☐ | ☐ | ☐ | ☒ |
| f) Result in inadequate parking capacity? | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | ☐ | ☐ | ☐ | ☒ |
| 2.16 UTILITIES AND SERVICE SYSTEMS B Would the project: | | | | |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | ☐ | ☐ | ☐ | ☒ |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☐ | ☒ |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☐ | ☒ |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | ☐ | ☐ | ☐ | ☒ |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projected demand in addition to the providers existing commitments? | ☐ | ☐ | ☐ | ☒ |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | ☐ | ☐ | ☐ | ☒ |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | ☐ | ☐ | ☐ | ☒ |
| 2.17 MANDATORY FINDINGS OF SIGNIFICANCE -- | | | | |
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | ☐ | ☐ | ☐ | ☒ |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☐ | ☐ | ☒ |

# 3 Threshold of Significance

For the purposes of making impact determinations, potential impacts were determined to be significant if the proposed project would result in changes in environmental condition that would, either directly or indirectly, cause a substantial loss of habitat, substantial conversion of prime agriculture lands, or substantial degradation of water quality or other resources.

**DISCUSSION OF ENVIRONMENTAL EVALUATION:**

2.1 Aesthetics

None of the potential practices described above would alter any scenic vista, damage scenic resources, degrade the visual character of any site, or adversely affect day or nighttime views.

2.2 Agriculture Resources

The purpose of the Conditional Waiver is to increase the use of management practices that will protect water quality. There are currently many practices available to growers which will have a beneficial impact on water quality by reducing erosion, improving irrigation efficiency to reduce the amount of water entering state waters from irrigated lands, and reduce the total amount of fertilizer and pesticides applied to crops (Appendix 10. of the Order No. R4-2005-XXXX, *Best Management Plan Resources*). Many of these practices may actually improve agriculture resources by reducing the loss of topsoil or improving soil quality, and are likely to be implemented on a more widespread basis than currently, as a result of implementation of the Conditional Waiver.

Conservation practices that could affect the amount of land used for producing crops include vegetating farm roads, installing vegetated filter strips along creeks and at the ends of field rows, planting cover crops, and installing sediment detention basins. Potential cost for implementing practices varies in both initial installations costs and in long-term costs associated with maintenance and reduced cropping area. In some cases practices can result in improved productivity that will offset costs associated with taking some land out of production for conservation practices. Some practices, such as improved irrigation efficiency and nutrient management, can result in cost savings over time. The proposed management practices or other potential strategies that could be pursued by the growers are unlikely to lead to a conversion of prime agricultural farmland to other uses

Growers have a wide range of options available to minimize or eliminate water quality impacts. Based on the range of options available, grower should be able to choose an approach appropriate to their crops and fields that will minimize cost and allow them to continue farming. The availability of federal and state government funds for environmental conservation and settlement funds should allow growers to offsets some of their costs, if they choose an approach that requires a greater capital investment.

## 2.3 Air Quality

Implementation of some alternative pest management strategies could lead to a reduction in aerial drift, and therefore and improvement in air quality.

## 2.4 Biological Resources

The proposed Conditional Waiver is designed to improve water quality through the implementation of management practices that will reduce the amount of sediment, pesticides, and nutrients entering the region's waterbodies. Increased regulation of agriculture through the Conditional Waiver program will reduce impacts to biological resources by reducing exposure to agricultural pollutants. It is not expected that the Conditional Waiver will result in significant loss of habitat for threatened or endangered species. Practices such as vegetated waterways, hedgerows, and riparian restoration will likely result in increased habitat for many species.

## 2.5 Cultural Resources

Implementation of the proposed Conditional Waiver is not likely to affect cultural resources. None of the potential practices that growers might implement are likely to change the significance of any historical or archaeological resource, destroy a unique paleontological resource or geologic feature, or disturb and human remains

## 2.6 Geology and Soils

Implementation of the proposed Conditional Waiver will not affect the geology of the region and will not expose people to additional geologic hazards. Growers may plant cover crops of buffer strips to increase soil infiltration and reduce runoff, which will likely reduce soil erosion.

## 2.7 Hazards and Hazardous Materials

Implementation of the Conditional Waiver should not result in any increased exposure to hazards or hazardous material and my reduce exposure as the growers implement pest management techniques that reduce applications in order to minimize potential runoff.

## 2.8 Hydrology and Water Quality

Implementation of the Conditional Waiver to improve water quality by reducing the agricultural constituents entering the region's waterbodies should not violate any water quality standards or waste discharge requirements, deplete groundwater supplies or interfere substantially with groundwater recharge, and are unlikely to result in changes in drainage patterns that would increase erosion or siltation, increase rate or amount of surface runoff, increase the risk of flooding, and contribute to increases in stormwater runoff. Management practices will be implemented with the arm of improving water

quality by reducing the amount of nutrients and pesticides applied to and/or discharging from agricultural lands. The requirement for all agricultural operations to have a farm plan is intended to ensure that operations are aware of the potential impacts of various practices and to ensure that reducing surface water discharges does not result in increasing groundwater discharges.

Practice such as sediment detention basin which could potentially fail and cause downstream problems must meet local design standards, including a requirements to withstand a 100-year storm event.

2.9 Land Use and Planning

Implementation of the proposed Conditional Waiver should not result in any changes in land use or planning as discussed in Section 2.2 above.

2.10 Mineral Resources

The effect of the proposed Conditional Waiver should be limited to land currently under agricultural production, and there should be no impact to mineral resources.

2.11 Noise

The proposed Conditional Waiver should have no impact on noise in the project area.

2.12 Population and Housing

The proposed Conditional Waiver will likely result in changes in on-farm management practices. Those changes in practices would not directly or indirectly induce population growth in the area, displace existing housing, or displace people. The proposed Conditional Waiver should not have an impact on population and housing.

2.13 Public Services

The proposed Conditional Waiver will not have an impact on public services.

2.14 Recreation

The proposed Conditional Waiver would not increase the use of existing neighborhood and regional parks or other recreational facilities, or the need for new or expansion of recreation facilities.

2.15 Transportation/Traffic

The proposed Conditional Waiver will not have an impact on transportation/traffic

2.16 Utilities and Service Systems

The Regional Board have not been establish any wastewater treatment requirements for runoff form agriculture lands. The proposed Conditional Waiver does not require and should not result in the construction or expansion of new storm water drainage facilities. The most feasible practices for the control of discharges from irrigated lands are on-field practices.

The proposed Conditional Waiver should not result in significant changes in water supply. One of the potential alternative practices that could be used by the growers would be the use of cover crops to increase infiltration and reduce surface runoff of water. The use of cover crops may require additional irrigation water but may also result in reduced evaporation from soil surfaces, resulting in no or little net change in irrigation water needs. Improve in irrigation efficiency, one of the principle means of reducing agricultural discharges, will likely result in water savings.

The proposed Conditional Waiver should not require any changes in wastewater treatment services and should not result in any changes in the generation of solid waste and therefore should not affect compliance with federal, state, and local statutes and regulation related to solid waste.

2.17 Mandatory Finding of Significance

The proposed Conditional Waiver is designed to reduce discharges of agricultural pollutants and improve water quality. The proposed Conditional Waiver does not require or allow any changes in practices that could degrade the quality of the environment or have environmental effects that could cause substantial indirect or direct adverse effects on human beings.

The proposed Conditional Waiver represents the establishment of a comprehensive program to address the impacts of agricultural discharges throughout the Los Angeles Region. There are no probable future changes in Regional Board program that would lead to cumulatively significant impacts when combined with likely impacts from the proposed Conditional Waiver.